

Wu, Jennifer

From: Zimmerman, Breean (ECY) <bzim461@ECY.WA.GOV>
Sent: Thursday, March 02, 2017 4:36 PM
To: Wu, Jennifer
Subject: RE: 401 Cert for Leavenworth NFH
Attachments: USFWS_TierII_Analysis_Apr2008.pdf

Forgot to attach the 2008 analysis I referenced...

From: Zimmerman, Breean (ECY)
Sent: Thursday, March 02, 2017 4:35 PM
To: 'Wu, Jennifer' <Wu.Jennifer@epa.gov>
Subject: RE: 401 Cert for Leavenworth NFH

Hi Jenny,

Thank you for your voicemail and your follow-up email. I appreciate EPA's desire to issue their final NPDES permit in a timely manner. As we discussed, Ecology too is interested in issuing a Section 401 in a timely manner. However, we have some internal homework to do. We've been working with our Attorney General's office and agency staff to ensure we implement the appropriate procedures and address appropriate concerns for issuing our Section 401. We appreciate your patience as we work through our internal process. However, I can provide you with some preliminary comments we've been working on and comments that we've verbally shared with EPA staff:

1. **Temperature.** In addition to EPA's permit requirements and compliance with the Wenatchee River Watershed Temperature Total Maximum Daily Load (TMDL): Water Quality Improvement Report, I would further direct you to WAC 173-201A-200(1)(c)(ii)(A), which states "Incremental temperature increases resulting from individual point source activities must not, at any time, exceed $28/(T+7)$ as measured at the edge of a mixing zone boundary (where "T" represents the background temperature as measured at a point or points unaffected by the discharge and representative of the highest ambient water temperature in the vicinity of the discharge)..."

Ecology recommends LNFH monitor at the first intake (upstream of the project) and downstream of the discharge point on the receiving waters. The temperature of (a) each groundwater well in addition to any surface water entering the hatchery and all hatchery discharges to Icicle Creek. Ecology further recommends temperature be monitored at a frequency of 15-minute intervals.

2. **Phosphorus (P) Monitoring.** The Wenatchee River Watershed Dissolved Oxygen and pH Total Maximum Daily Load: Water Quality Improvement Report (TMDL) sets the waste load allocation with a target maximum load of 0.52 kg/day for this facility and has a target concentration of 5.7 µg/L. By achieving these limits, the facility will satisfy the requirements set forth in the TMDL. Ecology suggests the permit limit for Total P be based on mass i.e. daily load, not concentration.

Ecology suggests daily monitoring by composite sample, with compliance reporting based on a weekly average of daily monitoring, not exceeding 0.52 kg/day.

3. **Antidegradation.** EPA should consider a Tier II antidegradation analysis if any of the following actions were initiated: 1) An increase (either monthly average or annual average) to an existing permitted concentration or permitted effluent mass limit (loading) to the water body greater than 10% ; 2) The act of re-rating the capacity of an existing plant greater than 10%. Ecology is aware of a Tier II antidegradation analysis that was conducted in 2008 by U.S. Fish & Wildlife Service (attached for reference). If it can be verified the inputs and assumptions are

all the same then this information could likely be used for determination of compliance. However, if the project capacity has since increased greater than 10% then a new analysis would likely be necessary.

Additionally, EPA may want to revisit flow augmentation calculation of Icicle Creek. Lastly, in regards to the compliance schedule provided in the draft NPDES permit, it is Washington State's position that a standard compliance schedule is based on 10 years from the time in which the water quality improvement report was finalized by EPA, which was finalized in August 2009.

If it would be beneficial, you and I can work together to set up a meeting (whether teleconference, videoconference, or in person) to provide clarification or answer any questions EPA may have.

As far as best contact, please direct Mike Lidgard to our Water Quality Program Section Manager, David Bowen. David's contact information is as follows:

David Bowen
Water Quality Section Manager
(509) 457-7107
david.bowen@ecy.wa.gov

I hope this helps answer your questions.

Thank you,
Breean Zimmerman | **Hydropower Projects Manager**
Water Quality Program | Central Regional Office
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From: Wu, Jennifer [<mailto:Wu.Jennifer@epa.gov>]
Sent: Friday, February 24, 2017 9:34 AM
To: Zimmerman, Breean (ECY) <bzim461@ECY.WA.GOV>
Subject: 401 Cert for Leavenworth NFH

Hi Breean,

Following up on my voicemail, I just wanted to give you a heads up that I talked with Mike Lidgard, my manager, and he was interested in following up with your manager on the timing for the 401 cert on the LNFH permit. As you probably know, we're looking to finalize the permit by the summer, so he's interested in seeing whether it would be possible to get a 401 cert sooner from Ecology. At the same time, we understand the complexities of the permit and 401 cert, so he thought it would be good to get a better sense of some of the challenges by having a phone call. As you and I had talked about earlier, if there's something we can do on our end to help expedite the 401 cert, we're happy to do what we can.

Can you give me the name of the best person Mike should talk to? Feel free to give me a call if you'd like to talk more.

Thanks, Breean. - Jenny